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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Criminal No. CR 08-0553 MMC
)	
Plaintiff,)	
)	
v.)	PROPOSED ORDER AND
)	STIPULATION CONTINUING STATUS
JOSHUA JOEL PRATCHARD,)	CONFERENCE AND EXCLUDING
)	TIME FROM SEPTEMBER 17, 2008 to
Defendant.)	OCTOBER 15, 2008.
)	
)	

On September 16, 2008, the parties in this case appeared before the Honorable Elizabeth D. Laporte for identification of counsel. At that time, Steve Whitworth entered a general appearance on behalf of the defendant. An initial appearance before the Honorable Maxine M. Chesney was scheduled for September 17, 2008.

Defense counsel requests that the September 17, 2008, appearance be vacated and continued to October 15, 2008, so that he may obtain and review discovery from government counsel. The parties stipulate that time should be excluded from the Speedy Trial Act calculations from September 17, 2008, to October 15, 2008, in light of the need for effective preparation of counsel. Failure to grant the requested continuance would unreasonably deny

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1 defense counsel reasonable time necessary for effective preparation, taking into account the
2 exercise of due diligence and the need for defense counsel to obtain and review discovery with
3 the defendant.

4 IT IS SO STIPULATED.

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 DATED: 9/16/08

8 /s/
WENDY THOMAS
Special Assistant United States Attorney

9 DATED: 9/16/08

10 /s/
STEVE WHITWORTH
11 Attorney for Mr. Pratchard

12 Based on the stipulation of the parties and for good cause shown, the Court finds that the
13 ends of justice served by excluding the period from September 17, 2008, to October 15, 2008,
14 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).
15 Accordingly, and with the consent of the defendant, the Court orders that the September 17,
16 2008, appearance be vacated and continued to October 15, 2008, and that the period from
17 September 17, 2008 to October 15, 2008 be excluded from Speedy Trial Act calculations under
18 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

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20 IT IS SO ORDERED.

21 DATED: September 17, 2008

22 
MAXINE M. CHESNEY
23 United States District Judge

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28 ~~PROPOSED~~ ORDER AND
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